

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

**CHAD HOGAN,**  
**Plaintiff,**

v.

**CITY OF MONTGOMERY, et al.,**  
**Defendants.**

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**Case No. 2:05-cv-687-MHT-VPM**

**REPORT OF PARTIES' PLANNING MEETING**

1. **Appearances.** Pursuant to Fed. R. Civ. P. 26(f), a teleconference was held on September 8, 2005 among the following participants:

Andy Nelms  
Law Offices of Jay Lewis, LLC  
Attorney for Plaintiff Chad Hogan

Kimberly Owen Fehl, City Attorney's Office  
Attorney for City of Montgomery, Art Baylor, J.C. West

Christopher Kyle Whitehead  
Attorneys for J.M. Gordon, Ronald Cook, William Caufield

(Note: Defendant Anthony Arnaud has not answered the Complaint and Summons served upon him on August 3, 2005. An application for default judgment has been made. Defendant Anthony Arnaud was not a participant in the planning meeting.)

2. **Pre-Discovery Disclosures.** The parties will exchange by, October 17, 2005 the information required by Fed. R. Civ. P. 26(a)(1).
3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:
- a. Discovery will be needed on the following subjects:
    - 1. All information pertaining to Plaintiff's claims and damages.
    - 2. All information pertaining to Defendants' defenses.
  - b. All discovery commenced in time to be completed by, April 1, 2006.
  - c. There will be a maximum of 30 interrogatories by each party to any other party. The

responses will be due 30 days after service.

- d. There will be a maximum of 30 requests for production of documents by each party to any other party. The responses will be due 30 days after service.
- e. There will be a maximum of 30 requests for admission by each party to any other party. Responses will be due 30 days after service.
- f. The parties agree that no more than 10 depositions may be taken by a party without leave of the court or agreement of the parties. Each deposition is limited to a maximum of 7 hours unless extended by agreement of the parties.
- g. Reports from retained experts under Rule 26(a)(2) will be due from Plaintiff by January 25, 2006, and from Defendant by February 15, 2006.
- h. Supplementation of the disclosures under Rule 26(e) will be due within 30 days before the end of the discovery period.

4. **Other items.**

- a. **Scheduling Conference**  
The parties **do not** request a conference with the court before entry of the scheduling order.
- b. **Pretrial Conference**  
The parties request a pretrial conference in July, 2006.
- c. **Additional Parties, Claims and Defenses**  
The parties must join additional parties and amend the pleadings by March 15, 2006.
- d. **Dispositive Motions**  
All potentially dispositive motions should be filed by March 15, 2006.
- e. **Settlement**  
Settlement and the possibility of mediation cannot be evaluated until some discovery is complete.
- f. **Trial Evidence**  
The final list of witnesses and trial evidence under Rule 26(a)(3) should be due three weeks before trial. The parties should have 14 days after service to list objections under Rule 26(a)(3).
- g. **Trial Date**  
This case should be ready for trial by August 7, 2006, and at this time is expected to take approximately 5 days of trial time.

Date: September 8, 2005

s/ANDY NELMS

K. ANDERSON NELMS (NEL022)

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ASB-6972-E63K

**CERTIFICATE OF SERVICE**

I hereby certify that I have served the foregoing on the following parties and/or counsel by placing a copy of the same in the United States mail, postage prepaid and properly addressed, on this \_8th\_ day of September, 2005.

Christopher Whitehead  
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Ramadanah Maryum Salaam  
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Montgomery, AL 361035058

Kim O. Fehl  
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P.O. Box 1111  
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s/K. ANDERSON NELMS  
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